

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

DEWAYNE JACKSON COX,)
Plaintiff)
)
v.) Case No. 7:12-cv-00154
)
CAPT. KELLER, *et al.*,)
Defendants.)

STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure the parties, by counsel, hereby stipulate to dismissal of this action.

The Parties further stipulate that dismissal is without prejudice and will not operate as an adjudication on the merits of this matter, and that the Defendants herein waive their right to assert and will not raise the statute of limitations as a defense if this action is re-filed within 14 days of the date this Stipulation of Dismissal is filed.

Respectfully Submitted,

DEWAYNE JACKSON COX

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MAJOR GREG WINSTON,
OFFICER BRADLEY QUINN,
OFFICER JOSHUA PINKERMAN, AND
OFFICER BENJAMIN BAXLEY

/s/ Jim H. Guynn, Jr.
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JUSTIN MILES

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing pleading was electronically filed with the CM/ECF system on the 26th day of August 2016, which will electronically send notification to counsel of record.

/s/ Melvin E. Williams
Of Counsel